

NOTICES OF PUBLIC INFORMATION

Notices of Public Information contain corrections that agencies wish to make to their notices of rulemaking; miscellaneous rulemaking information that does not fit into any other category of notice; and other types of information required by statute to be published in the *Register*. Because of the variety of material that is contained in a Notice of Public Information, the Office of the Secretary of State has not established a specific format for these notices.

NOTICE OF PUBLIC INFORMATION

[M11-47]

- 1. Name of the agency:** Arizona Health Care Cost Containment System (AHCCCS) – Administration
- 2. The Subject of this notice:** AHCCCS Fee-For-Service Provider Rate Reductions
- 3. The public information relating to the subject:**

As a result of Arizona's continuing budget crisis and the projected deficit for the Medicaid Program for FY 2012 which begins on July 1, 2011, the AHCCCS Administration will reduce fee-for-service (FFS) provider rates on April 1, 2011. Provider rate reductions are authorized by HB 2010, the Health Budget Reconciliation Bill which was passed during the 2010 Legislative Session. HB 2010 authorized the AHCCCS Administration to reduce both institutional and non institutional rates up to 5% for the rate year beginning October 1, 2010.

Therefore, on April 1, 2011, the following FFS provider rates will be reduced by the percentages specified below:

Reduced 5%:

- Inpatient hospital rates
- Cost to Charge ratios used to qualify and pay inpatient outliers
- Outpatient hospital rates
- Dental rates
- Physician fee schedule rates
 - Including DME, Prosthetics, Orthotics, Supplies, and Clinical Lab
 - Including percentage for codes paid "By Report" (from 65.00% to 61.75%)
 - Excluding the Physician Drug Schedule
- Dialysis center composite rates
- Arizona Department of Health Service (ADHS) Transportation rates
- Non-ADHS Transportation rates
- Behavioral Health rates (including AHCCCS inpatient psychiatric tiered per diem rates and bed holds) with the exception of:
 - 1) All other Acute Care Hospital/Level 1 Hospitalization
 - 2) All Level 1 Sub Acute Facilities
 - 3) All Level 1 Residential Treatment Centers

Reduced 2.5%:

- In-Home service rates, including Adult Day Health (excluding services paid by DES Division of Developmental Disabilities (DDD))

No Rate Reduction:

- Nursing Facilities rates
- Ambulatory Surgical Centers rates
- Pharmacy
- Alternative Residential Facilities
- Hospice
- Exceptions noted above

More information about the FFS provider rate reductions may be obtained from the AHCCCS web site at: <http://www.azahcccs.gov/commercial/ProviderBilling/rates/rates.aspx>.

- 4. A list of previous notices published in the *Arizona Administrative Register* relating to the notice of public information:**
None
- 5. The name, address, and telephone number of agency personnel to whom questions and comment on the subject may be addressed:**

Written comments concerning these rate reductions may be submitted to the AHCCCS Administration. All comments must be received by close of business 5:00 p.m. no later than 30 days from the date of publication of the Notice of Public Information (NOPI) by the Secretary of State. Please direct written comments to:

Name: Michael Veit, Contracts and Purchasing Manager

Address: Arizona Health Care Cost Containment System

Notices of Public Information

701 E. Jefferson St.
Phoenix, AZ 85034

E-mail: FFSRates@azahcccs.gov

NOTICE OF PUBLIC INFORMATION

ARIZONA GAME AND FISH DEPARTMENT

DIRECTOR'S ORDER 1 - R03/11 – AQUATIC INVASIVE SPECIES
LISTING OF AQUATIC INVASIVE SPECIES FOR ARIZONA
EFFECTIVE MARCH 1, 2011

[M11-23]

Effective March 1, 2011 the Arizona Game and Fish Department, under the authority of A.R.S. § 17-255.01(B), establishes this updated list of aquatic invasive species for the state of Arizona:

<u>Aquatic Invasive Species</u>	<u>Notes</u>
quagga mussel (<i>Dreissena bugensis</i>)	Detected and present in Arizona - January 2007; Lake Mead.
zebra mussel (<i>Dreissena polymorpha</i>)	Not yet detected in Arizona, but poses an imminent threat. Zebra mussels are nearly indistinguishable in appearance from the quagga mussel.
rusty crayfish (<i>Orconectus rusticus</i>)	Not yet detected in Arizona, but constitutes an imminent threat. No positive identification noted among current Arizona crayfish populations.
red claw crayfish (<i>Cherax quadricarinatus</i>)	Not yet detected in Arizona, but constitutes an imminent threat. No positive identification noted among current Arizona crayfish populations.
New Zealand mudsnail (<i>Potamopyrgus antipodarum</i>)	Detected in Arizona – confirmed in 2002; lower Colorado River (Lee's Ferry, Lake Mead)
didymo, a.k.a. rock snot (<i>Didymosphenia geminata</i>)	Detected in Arizona (blooms) – July 2009; below Davis Dam, Lake Havasu on the lower Colorado River.
giant salvinia (<i>Salvinia molesta</i>)	Detected in Arizona – August 1999; on the Arizona/California border at Imperial National Wildlife Refuge near Blythe, Calif.

The name and address of agency personnel with whom persons may communicate regarding this Order:

Name: Tom McMahon, Invasive Species Coordinator
Address: Arizona Game and Fish Department, WMHB
5000 W. Carefree Highway
Phoenix, AZ 85086-5000
Telephone: (623) 236-7271
Fax: (623) 236-7366
E-mail: tmcMahon@azgfd.gov

NOTICE OF PUBLIC INFORMATION

ARIZONA GAME AND FISH DEPARTMENT

DIRECTOR'S ORDER 2 - R03/11 – AQUATIC INVASIVE SPECIES
DESIGNATION OF WATERS OR LOCATIONS WHERE LISTED AQUATIC INVASIVE SPECIES ARE PRESENT
EFFECTIVE MARCH 1, 2011

[M11-24]

Effective March 1, 2011 the Arizona Game and Fish Department, under the authority of A.R.S. § 17-255.01(B), establishes this list of waters or locations where listed aquatic invasive species are suspected or known to be present. The listing of aquatic invasive species in Arizona is established under the Arizona Game and Fish Department – Director's Order 1 - R03/11, 17 A.A.R. 272, February 18, 2011 (*in this issue*).

Arizona Administrative Register / Secretary of State
Notices of Public Information

Waters in Arizona where <u>quagga mussel</u> (<i>Dreissena bugensis</i>) are documented and present:
<ul style="list-style-type: none">- Lake Pleasant- Lower Colorado River from Pierce Ferry Rapid (RM277 on Lake Mead) through the southerly international boundary with Mexico including:<ul style="list-style-type: none">Lake MeadLake MohaveLake HavasuImperial ReservoirMittry LakeMartinez LakeTopock Marsh
Water delivery systems in Arizona where <u>quagga mussel</u> (<i>Dreissena bugensis</i>) are documented and present:
<ul style="list-style-type: none">- Central Arizona Project (CAP) aqueduct (from Lake Havasu - Mark Wilmer Pumping plant to CAP canal mile 200 in Apache Junction, Ariz.)
Water delivery systems in Arizona where <u>quagga mussel</u> (<i>Dreissena bugensis</i>) are suspected:
<ul style="list-style-type: none">- Salt River Project Canal System (commencing at the CAP Interconnect below Granite Reef Dam)- Central Arizona Project (CAP) Aqueduct (from CAP canal mile 200 in Apache Junction to terminus at canal mile 337 south of Tucson, Ariz.)
U.S. States or Provinces of the Dominion of Canada where <u>quagga mussel</u> (<i>Dreissena bugensis</i>) or <u>zebra mussel</u> (<i>Dreissena polymorpha</i>) are documented and present:
<ul style="list-style-type: none">- Alabama, Arkansas, California, Colorado, Connecticut, Iowa, Illinois, Indiana, Kentucky, Louisiana, Massachusetts, Maryland, Michigan, Minnesota, Missouri, Mississippi, Nebraska, Nevada, New York, Ohio, Oklahoma, Pennsylvania, Texas, Utah, Virginia, Vermont, Wisconsin, West Virginia; and the Provinces of Ontario and Quebec
Waters in Arizona where <u>New Zealand mudsnail</u> (<i>Potamopyrgus antipodarum</i>) has been documented:
<ul style="list-style-type: none">- Lower Colorado River below the Glen Canyon Dam to Lee's Ferry and at Lake Mohave - Willow Beach area.
Waters in Arizona where <u>didymo</u>, a.k.a. rock snot (<i>Didymosphenia geminata</i>), has been documented (bloom):
<ul style="list-style-type: none">- Lower Colorado River, immediately downstream of Davis Dam (Lake Havasu).
Waters in Arizona where <u>giant salvinia</u> (<i>Salvinia molesta</i>) has been documented:
<ul style="list-style-type: none">- Lower Colorado River - Blythe, Calif. (I-10 Bridge over Colorado River) through the southerly international boundary with Mexico (Morales Dam)

The name and address of agency personnel with whom persons may communicate regarding this Order:

Name:	Tom McMahon, Invasive Species Coordinator
Address:	Arizona Game and Fish Department, WMHB 5000 W. Carefree Highway Phoenix, AZ 85086-5000
Telephone:	(623) 236-7271
Fax:	(623) 236-7366
E-mail:	tmcMahon@azgfd.gov

Notices of Public Information

NOTICE OF PUBLIC INFORMATION

ARIZONA GAME AND FISH DEPARTMENT

DIRECTOR'S ORDER 3 - R03/11 – AQUATIC INVASIVE SPECIES

MANDATORY CONDITIONS ON THE MOVEMENT OF WATERCRAFT, VEHICLES, CONVEYANCES, OR OTHER EQUIPMENT FROM LISTED WATERS WHERE AQUATIC INVASIVE SPECIES ARE PRESENT

EFFECTIVE MARCH 1, 2011

[M11-25]

Effective March 1, 2011 the Arizona Game and Fish Department, under the authority of A.R.S. § 17-255.01(B), establishes mandatory conditions for movement of watercraft, vehicles, conveyances, or other equipment necessary to abate, eradicate, or prevent the spread of listed aquatic invasive species (AIS) within or from those waters or locations listed in Arizona Game and Fish Department - Director's Order 2 - R03/11 (Listed Waters), 17 A.A.R. 272, February 18, 2011 (*in this issue*).

Mandatory Conditions and Protocols for Movement from Listed Waters/Locations	
Day Use Boater	<p>The following protocols shall be taken for watercraft, vehicles, conveyances, or other equipment (e.g., fishing gear, anchor, etc.) that have been in or on a listed water/location for <u>5 days or less</u>:</p> <p><u>Before leaving the vicinity of any listed water in Arizona:</u> Remove any clinging material such as plants, algae, animals, and mud from anchor, boat, motor, trailer, and all other equipment. Remove the plug (when so equipped) and drain the water from the bilge, live-well and any other compartments that may hold water. Drain water from engine, engine compartments, and engine cooling systems. Dry - Allow watercraft, vehicles, conveyances, or other equipment to dry completely. If using watercraft again in less than five days at any other Arizona waters, replace bilge drain plug and disinfect the bilge by pouring not less than one gallon of vinegar into the bilge.</p>
Long Term Use Boater	<p>The following protocols shall be taken for any watercraft, vehicles, conveyances, or other equipment that have been in or on a listed water/location for <u>more than 5 days</u>:</p> <p><u>Before leaving the vicinity of the listed water/location (unless otherwise authorized by the state):</u> Remove any clinging material such as plants, algae, animals and mud from anchor, boat, motor, trailer, and all other equipment. Remove the plug (when so equipped) and drain the water from the bilge, live-well, and any other compartments that may hold water. Drain water from engine, engine compartments, and engine cooling systems. Remove all attached invasive species (e.g., adult quagga mussels; New Zealand mudsnails) from boat surfaces, motors, impellers, outdrives, rudders, anchor(s) and through hull fittings. Dry completely - Keep the watercraft, vehicles, conveyances, or other equipment out of water and completely dry, including bilge, through hull fittings and engine for a minimum of eighteen (18) <u>consecutive days during the months of November through April</u> and <u>seven (7) consecutive days during the months of May through October</u>. Where watercraft decontamination facilities exist, flush the engine, cooling systems, and any other through hull fittings for ten (10) to thirty (30) seconds with hot water exiting those areas at 140°F to kill any hidden invasive species (e.g. adult quagga mussels). OWNER, OPERATOR, AND/OR TRANSPORTER OF LONG TERM USE BOATS SHALL complete and sign an Aquatic Invasive Species Boat Inspection Report - AISBIR (AGFD Form 2137). The AISBIR form is located on the Department's web site (azgfd.gov/mussels) and a completed form shall be sent by facsimile (FAX 623-236-7271) or scanned and e-mailed to AIScomments@azgfd.gov of the Arizona Game and Fish Department's Aquatic Invasive Species Program <u>before</u> transport of watercraft to any other Arizona waters or out of state.</p>
Mandatory Conditions and Protocols for Movement from the lower Colorado River, below the Glen Canyon Dam to Lee's Ferry and at Lake Mohave - Willow Beach area.	

Notices of Public Information

The following protocols shall be taken for the prevention/control of:

New Zealand mudsnail (*Potamopyrgus antipodarum*)

- Dry completely all equipment which has been in contact with the listed water.
- Before using in any other waters in Arizona, treat all fishing equipment (including, but not limited to, felt-soled waders, boots, nets, tackle) with a minimum 10-minute exposure to a 5% solution of quaternary ammonia (e.g. Quat128[®], Formula 409[®], Sparquat[®]).

Mandatory Conditions and Protocols for Movement from the lower Colorado River, immediately downstream of Davis Dam (Lake Havasu)

The following protocols shall be taken for the prevention/control of:

Didymo, a.k.a. rock snot (*Didymosphenia geminata*):

- Dry completely all equipment which has been in contact with the listed water.
- Before using in any other waters in Arizona, treat all fishing equipment (including, but not limited to, felt-soled waders, boots, nets, tackle) with bleach or 5% solution of quaternary ammonia (e.g. Quat128[®], Formula 409[®], Sparquat[®]).

A.R.S. § 17-255.01(C)(1); Watercraft, vehicles, conveyances, or other equipment are subject to inspection upon entry into this state, during overland transport within this state, or upon departure from any water or location listed in Arizona Game and Fish Department- Director's Order 2 – Effective March 1, 2011, 17 A.A.R. 272, February 18, 2011 (*in this issue*).

A.R.S. § 17-255.01(C)(3); A person departing from any water or location listed in Director's Order 2 – Effective March 1, 2011 may be required to decontaminate watercraft, vehicles, conveyances, or other equipment in the manner required by Order.

A.R.S. § 17-255.02(1); A person shall not possess, import, ship, or transport into or within the state of Arizona Aquatic Invasive Species listed under Arizona Game and Fish Department – Director's Order 1 – Effective March 1, 2011, 17 A.A.R. 272, February 18, 2011 (*in this issue*).

A.R.S. § 17-255.02(2); A person shall not release, place or plant an aquatic invasive species identified in Arizona Game and Fish Department – Director's Order 1 – Effective March 1, 2011 into waters of this state or into any water treatment facility, water supply or water transportation facility, device or mechanism.

A.R.S. § 17-255.02(3); A person shall not place in any waters of this state any equipment, watercraft, vessel, vehicle or conveyance that has been in any water or location listed in Arizona Game and Fish Department- Director's Order 2 – Effective March 1, 2011 without being first decontaminated in the manner required by this Order.

A.R.S. § 17-255.02(4); A person shall not sell, purchase, barter or exchange an aquatic invasive species identified in Arizona Game and Fish Department – Director's Order 1 – Effective March 1, 2011.

The name and address of agency personnel with whom persons may communicate regarding this Order:

Name: Tom McMahon, Invasive Species Coordinator
Address: Arizona Game and Fish Department, WMHB
5000 W. Carefree Highway
Phoenix, AZ 85086-5000
Telephone: (623) 236-7271
Fax: (623) 236-7366
E-mail: tmcMahon@azgfd.gov

NOTICE OF PUBLIC INFORMATION

LAWS 2010, CH. 287

**Revisions to the Rulemaking Process in the Administrative Procedures Act
Extension of the Rulemaking Moratorium Through Fiscal Year 2011**

[M10-191]

1. Reason for the Notice of Public Information:

Laws 2010, Ch. 287 revised the Administrative Procedure Act and extended the moratorium on rulemaking through fiscal year 2011

2. Effective date of Laws 2010, Ch. 287:

July 29, 2010

3. Summary of Laws 2010, Ch. 287:

Revises the rulemaking process by expanding the use of summary rulemaking, authorizing a general permit and expanding the role of the governor's Office of Strategic Planning and Budgeting.

Requires the rule's benefits to outweigh its probable costs and the agency to demonstrate it selected the least burdensome and costly alternative. (Strikes the requirement for this to be by clear and convincing evidence).

Expands the requirements for the Economic, Small Business and Consumer Impact Statement.

For the agency's five-year review, requires a determination that the rule imposes the least burden and cost to the regulated community.

During an appeal of an agency rule, outlines an additional reason for filing an objection.

Extends the rulemaking moratorium on rulemaking through fiscal year 2011

(Excerpted from Arizona House of Representatives House Majority Research Memorandum of April 28, 2010. Available online at www.azleg.gov.)

4. Contact for rulemaking moratorium questions:

Communications regarding exceptions to the moratorium, or questions regarding the moratorium generally, should be addressed to Richard Bark, Deputy Chief of Staff, Policy, at rbark@az.gov.

5. Location of full text of Laws 2010, Ch. 287:

The entire text of Laws 2010, Ch. 287 is available online at www.azsos.gov under Legislative Filings.